

**In The Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

- 1 1. Cancelled.
- 2 2. (Currently Amended) The seed planting assembly as recited in claim 1, 5,  
3 wherein the second linkage is connected to the upper beam member at a location  
4 between the planting unit frame and the positioner joint.
- 5 3. (Currently Amended) The seed planting assembly as recited in claim 1, 5,  
6 wherein the first and second linkages are pivotally connected to the mounting assembly.
- 7 4. (Currently Amended) The seed planting assembly as recited in claim 1, 5,  
8 wherein the lower beam member defines a plurality of locations spaced along the lower  
9 beam and configured to connect to the first linkage.
- 1 5. (Currently Amended) A seed planting assembly comprising:  
2 a laterally extending tool bar;  
3 a planting unit including a planting unit frame supported by the tool bar, wherein  
4 the planting unit frame carries:  
5 i. a seed trench opening assembly operable to create a seed trench;  
6 ii. a seed delivery assembly delivering seeds into the seed trench; and  
7 iii. a seed trench closing assembly operable to close the seed trench;  
8 a mounting assembly including an upper and lower support beam members  
9 pivotally linking the planting unit frame with the tool bar, wherein the mounting  
10 assembly permits the planting unit to raise and lower with respect to the tool bar;  
11 a vertical positioner including a first linkage connected to the lower beam  
12 member, and a second linkage connected to the first linkage at a positioner joint and  
13 further in mechanical communication with the planting unit frame; and

\_\_\_\_\_ a biasing member urging the second linkage towards the positioner joint ~~The seed planting assembly as recited in claim 1,~~ wherein the second linkage defines a slot operable to receive an actuating lever.

6. (Currently Amended) A seed planting assembly comprising:  
a laterally extending tool bar;  
a planting unit including a planting unit frame supported by the tool bar, wherein the planting unit frame carries:  
i. a seed trench opening assembly operable to create a seed trench;  
ii. a seed delivery assembly delivering seeds into the seed trench; and  
iii. a seed trench closing assembly operable to close the seed trench;  
a mounting assembly including an upper and lower support beam members pivotally linking the planting unit frame with the tool bar, wherein the mounting assembly permits the planting unit to raise and lower with respect to the tool bar;  
a vertical positioner including a first linkage connected to the lower beam member, and a second linkage connected to the first linkage at a positioner joint and further in mechanical communication with the planting unit frame; and

\_\_\_\_\_ a biasing member urging the second linkage towards the positioner joint, wherein the first linkage further comprises a stop that engages the second linkage when the planting unit is raised.

7. (Currently Amended) The seed planting assembly as recited in claim 1, wherein the second linkage is connected to the upper beam member at a second joint.

8. (Original) The seed planting unit as recited in claim 7, wherein the biasing member is a spring.

9. (Original) The seed planting assembly as recited in claim 8, wherein a first spring terminal end is connected to a rearward end of the second linkage, and wherein a second spring terminal end is connected to the vertical positioner at a location forward from the rearward end.

1 10. (Original) The seed planting assembly as recited in claim 9, wherein the second  
2 spring terminal end is connected to a pin extending through the second joint.

1 11. (Original) The seed planting assembly as recited in claim 10, wherein an  
2 elongated groove extends through the second linkage at the second joint.

1 12. (Original) The seed planting assembly as recited in claim 9, wherein the first  
2 spring terminal end is connected to a flange extending outwardly from the second  
3 linkage.

1 13. (Currently Amended) The seed planting assembly as recited in claim 15,  
2 wherein a spring member provides a force that resists the planting unit from being  
3 raised relative to the tool bar.

1 14. (Previously Presented) A seed planting assembly comprising:  
2 a laterally extending tool bar;  
3 a planting unit including a planting unit frame supported by the tool bar, wherein the  
4 planting unit frame carries:  
5 i. a seed trench opening assembly operable to create a seed trench;  
6 ii. a seed delivery assembly delivering seeds into the seed trench; and  
7 iii. a seed trench closing assembly operable to close the seed trench;  
8 a mounting assembly including an upper and lower support beam members pivotally  
9 linking the planting unit frame with the tool bar, wherein the mounting assembly  
10 permits the planting unit to raise and lower with respect to the tool bar;  
11 a vertical positioner including a first linkage connected to the lower beam member, and  
12 a second linkage connected to the first linkage at a positioner joint and further in  
13 mechanical communication with the planting unit frame; and  
14 a biasing member urging the second linkage towards the positioner joint;  
15 wherein the lower beam member defines a plurality of locations spaced along the lower  
16 beam and configured to connect to the first linkage.

1 15. (Previously Presented) The seed planting assembly as recited in claim 14,  
2 wherein the second linkage defines a slot operable to receive an actuating lever.

3 16. (Previously Presented) The seed planting assembly as recited in claim 14,  
4 wherein the first linkage further comprises a stop that engages the second linkage when  
5 the planting unit is raised.

6 17. (Previously Presented) A seed planting assembly comprising:  
7 a laterally extending tool bar;  
8 a planting unit including a planting unit frame supported by the tool bar, wherein the  
9 planting unit frame carries:  
10 i. a seed trench opening assembly operable to create a seed trench;  
11 ii. a seed delivery assembly delivering seeds into the seed trench; and  
12 iii. a seed trench closing assembly operable to close the seed trench;  
13 a mounting assembly including an upper and lower support beam members pivotally  
14 linking the planting unit frame with the tool bar, wherein the mounting assembly  
15 permits the planting unit to raise and lower with respect to the tool bar;  
16 a vertical positioner including a first linkage connected to the lower beam member, and  
17 a second linkage connected to the first linkage at a positioner joint and further in  
18 mechanical communication with the planting unit frame; and  
19 a biasing member urging the second linkage towards the positioner joint;  
20 wherein the second linkage is connected to the upper beam member at a second joint;  
21 wherein the biasing member is a spring; wherein a first spring terminal end is connected  
22 to a rearward end of the second linkage, and wherein a second spring terminal end is  
23 connected to the vertical positioner at a location forward from the rearward end;  
24 wherein the second spring terminal end is connected to a pin extending through the  
25 second joint; wherein an elongated groove extends through the second linkage at the  
26 second joint.

1 18. (Previously Presented) The seed planting assembly as recited in claim 17,  
2 wherein the first spring terminal end is connected to a flange extending outwardly from  
3 the second linkage.